

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
No. 3:11-CV-399**

THIS MATTER coming on to be heard upon the Joint Motion to Dismiss and Joint Motion for Order Directing Court to Distribute Funds brought by the remaining parties to this action: Evan L. Brown, III, by and through counsel, and Steven R. Brown, pro se;

AND THE COURT, having considered the joint motions and reasons therefor, finds that the motions shall be GRANTED;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiff's Complaint shall be and hereby is dismissed with prejudice; and
2. The Clerk of Court is hereby ordered to release all funds deposited by Metropolitan Life Insurance Company in this action, and make such funds payable to the Trust Account of *Garrity & Gossage, LLP*, 500 W. John Street, Matthews, NC 28105, as soon as is practicable, for payment in accordance with the settlement agreement attached to the Motion to Dismiss and incorporated herein by reference.

Signed: September 13, 2012

Max O. Cogburn Jr.
United States District Judge